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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/326,258	06/04/1999	Damion L. Hankejh	SESSIO.P01	3976

7590 02/19/2004
Patrick M Dwyer PC
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EXAMINER

VU, VIET DUY

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 02/19/2004

37

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/326,258

Applicant(s)

HANKEJH ET AL.

Examiner

Viet Vu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Art Rejections:

1. The texts of 35 USC 102(e) and 103(a) not cited here can be found in the previous office action.

2. Claims 1-2 and 4-7 are rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Dekelbaum et al, U.S. pat. No. 5,838,682.

Per claims 1-2 and 4, Dekelbaum discloses an Internet communication environment for providing web browsing and chat functions comprising:

a) a web browser for enabling a sale or service person to lead a user to any desired location on the web (see col 12, lines 1-12 and col 15, lines 18-25),

b) a chat service module, e.g., Java applet, executed by the web browser, for connecting the user to an interactive chat session in response to user's click on a special hyperlink, e.g., a button, an icon or a graphical object (see col 12, lines 12-37).

Per claims 5-7, Dekelbaum teaches a session manager for queuing/storing every user's session, for placing a user and a service agent into a channel to collaborate (see col 14, lines 19-67).

3. Claims 1-2 and 4 are further rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Tang et al, U.S. pat. No. 5,960,173.

Tang discloses a network communication environment for providing web browsing and chat functions comprising:

- a) a web browser for enabling a person to lead other users to any desired location on the web (see col 5, lines 14-16 and col 7, lines 48-67),
- b) a chat service module integrated within the web browser, for connecting the user to an interactive chat session in response to user's click on a special hyperlink button, an icon or an graphical object (see col 8, lines 1-3 and col 8, line 52 - col 9, line 5).

It is noted that a chat participant could be any person including sale or service agent.

4. Claims 5-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tang in view of Anupam et al, U.S. pat. No. 5,862,330.

Tang's teachings are still applied as discussed above. Tang does not explicitly teach utilizing web collaborative browsing in e-commerce application. Anupam discloses an e-commerce system utilizing chatting and collaborative web browsing comprising:

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a) a Java-enabled browser for enabling a customer service agent (U-1, fig. 1) to collaborate with a user (U-2, fig. 1) in a shared web browsing and chatting session (see Anupam's col 2, lines 19-38 and col 5, lines 21-35),

b) a session service (107, fig. 1) performing the following steps:

i) distributing JAVA applets to user's browser for enabling interactive chat session (see Anupam's col 2, line 39 - col 3, line 32 and col 5, lines 21-35),

ii) creating and storing/queuing new user's session (205, fig. 2A),

iii) finding or assigning a service agent to collaborate with the user in the newly created user's session channel (312, fig. 2B) (see Anupam's col 5, lines 21-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tang with Anupam's teaching because it would have enabled utilizing collaborative web browsing in e-commerce applications (see Anupam's col 5, lines 21-35).

Anupam does not explicitly teach allowing the service agent to accept user's request for a private chat session. It would have been obvious to one skilled in the art that in conventional service industry such as sales, customer services, etc., the

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agent would have acknowledged or accepted user's request to start the session .(see Anupam's col 5, lines 21-35).

Response to Amendment:

5. Applicant's arguments filed on 12/3/03 with respect to claims 1-2 and 4-7 are moot in view of new grounds of rejections set forth above.

It is noted that the newly filed Declarations still fail to establish the conception date for claimed subject matter in claims 5-7 prior to July of 1996, including queuing user's request, routing the request to a service agent and placing the user and service agent in a chat channel. Therefore, the rejection of claims 5-7 based upon Anupam is deemed proper.

Conclusion:

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is (703) 305-9597. The examiner can normally be reached on Monday through Thursday from 8:00am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An, can be reached on (703) 305-9678.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.



VIET D. VU
PRIMARY EXAMINER

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2/18/04